

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

NATHANIEL NESBIT,

Defendant.

Case No. 19-cr-40085-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Defendant Nathaniel Nesbitt (“Defendant”) Motion for Appointment of Counsel. Defendant requests counsel because he would like to file “a couple motions.” (Doc. 889). Defendant has already been sentenced after he pled guilty and being sentenced to 135 months (Doc. 768). Therefore, any motions that Defendant would request would be for any post-judgment matters.

If Defendant requests counsel for a civil matter such as habeas, the court must make the following inquiries: “(1) has the indigent [petitioner] made a reasonable attempt to obtain counsel or been effectively precluded from doing so; and if so, (2) given the difficulty of the case, does the [petitioner] appear competent to litigate it himself?” *Santiago v. Walls*, 599 F.3d 749, 760-61 (7th Cir. 2010), citing *Pruitt v. Mote*, 503 F.3d 647, 654-55 (7th Cir. 2007). Defendant’s motions contain no reasonable attempts.

If it is for any other matter, the Court must understand the purpose for which Defendant requests counsel to determine whether Defendant must satisfy exhaustion, or any other requirements, and determine whether counsel is required for a non-frivolous purpose. Defendant’s motion contains no such specificity or additional information.

For these reasons, and with the information provided, Defendant's Motion for Appointment of Counsel is **DENIED** without prejudice (Doc. 889).

IT IS SO ORDERED.

DATED: January 3, 2023

/s/ J. Phil Gilbert
J. PHIL GILBERT
UNITED STATES DISTRICT JUDGE